

ARTICLE III

Use Districts

Sec. 21-31. Uses permitted by right.

No land shall be used or occupied and no structure shall be designed, erected, altered, used or occupied except for either one (1) or more of the following uses by right; except for those uses in use prior to the enactment of this Code and classified as *nonconforming uses* as defined by this Chapter.
(Ord. 8 §1, 2006)

Sec. 21-32. R-E, Residential Estate District.

The following uses are permitted by right in the R-E District:

- (1) Single-family dwelling.
- (2) Accessory buildings and accessory uses.
- (3) Accessory dwelling when associated with a permitted use.
- (4) Church, church facilities or parish house.

- (5) Group homes for up to eight (8) developmentally disabled persons, handicapped individuals, children or senior citizens.
- (6) Public park or playground, public or private golf course or cemetery.
- (7) Public or private preschool, elementary or secondary school, child care.
- (8) Gas regulator station or utility pumping station.
- (9) Bed and breakfast establishment.
- (10) Home occupations.
- (11) Other uses, by conditional use permit.
(Ord. 8 §1, 2006; Ord. 2 §2, 2009)

Sec. 21-33. R-1, Residential One District.

The following uses are permitted by right in the R-1 District:

- (1) Any use permitted in R-E District.
- (2) Other uses, by conditional use permit.
(Ord. 8 §1, 2006)

Sec. 21-34. R-2, Residential Two District.

The following uses are permitted by right in the R-2 District:

- (1) Any use permitted in R-1 District.
- (2) Single-family or two-family dwelling.
- (3) Library.
- (4) Private club or lodge.
- (5) Other uses, by conditional use permit.
(Ord. 8 §1, 2006)

Sec. 21-35. R-3, Residential Three District.

The following uses are permitted by right in the R-3 District:

- (1) Any use permitted in R-2 District.
- (2) Multiple-family dwelling.
- (3) Professional offices with approval of the Planning Commission.
- (4) Medical and dental clinics – by conditional use permit.
- (5) Public facilities, excluding storage yard facilities.
- (6) Group homes for up to eight (8) developmentally disabled persons, handicapped individuals, children or senior citizens.
- (7) Child care facility (licensed) for more than six (6) children.
- (8) Other uses, by conditional use permit.
(Ord. 8 §1, 2006; Ord. 2 §3, 2009)

Sec. 21-36. C-1, Commercial One District.

The following uses are permitted by right in the C-1 District:

- (1) Public or private park, recreation building, bowling alley, community center and theatre.
- (2) Multiple-family dwelling.
- (3) Church and church facilities, private club or lodge.
- (4) Library and museum.
- (5) Accredited college or university as approved by the State.
- (6) Post office, firehouse and police station with jail.
- (7) Hospital, medical and dental office, clinic or laboratory.
- (8) Mixed residential and commercial occupancy uses.
- (9) Parking lot or commercial garage.
- (10) Professional offices and offices where chattels, goods, wares or merchandise are not commercially created, exchanged, stored or sold.
- (11) Studio for professional work or teaching any form of fine arts and used for selling such arts.
- (12) Restaurants and drinking places without drive-in facilities.
- (13) Banks, savings and loan and finance companies.
- (14) Barbershop and beauty shop.
- (15) Retail stores or shops; camera, drugstore, jewelry, dry goods, floral, gift, novelty, souvenir, hardware, paint and wallpaper, music, sporting goods, etc.
- (16) Grocery stores and stores and shops selling grocery items (meat, dairy, bakery, etc.).
- (17) Cleaning shop, involving perchlorethylene methods only or collection and distribution only, and laundry facilities.
- (18) Printing and newspaper offices.
- (19) Automotive service station.
- (20) Bed and breakfast establishment.
- (21) Hotel, motel, tourist home.
- (22) Light manufacturing.
- (23) Sale, rental, repair or inside storage of any equipment, supplies or materials.
- (24) Small animal veterinary hospital or clinic with all uses enclosed limited to domestic animals.
- (25) Workshops and custom small industry uses.
- (26) Tourist facilities.
- (27) Funeral homes.
- (28) Health and membership clubs.
- (29) Other uses, by conditional use permit.

(Ord. 8 §1, 2006; Ord. 2 §4, 2009)

Sec. 21-37. C-2, Commercial Two District.

The following uses are permitted by right in the C-2 District:

- (1) Any use permitted in C-1 District.
- (2) Restaurants with drive-in facilities.
- (3) Hotels, motels and tourist homes.
- (4) Large animal veterinary animal hospital or clinic with all uses enclosed limited to all animals domestic, agricultural or livestock, and wildlife.
- (5) Automotive sales by a licensed dealer, automotive repairing, automotive service stations and wash facilities.
- (6) Dry-cleaning and laundry plant.
- (7) Lumber yard.
- (8) Any assembly process where there is no fabrication; the entire process must be enclosed by a building.
- (9) Contractor's office and yard.
- (10) Wholesale stores and large volume high traffic retail stores.
- (11) Travel trailer parks – by conditional use permit.
- (12) Sales, rentals, repair or inside storage of any equipment, supplies or materials.
- (13) Mini-storage warehouse – by conditional use permit.
- (14) Heavy manufacturing, welding shop or machine shop where the entire process is enclosed by a building – by conditional use permit.
- (15) Body art establishments – by conditional use permit.
- (16) Pawn shops – by conditional use permit.
- (17) River rafting operation offices and headquarters, excluding employee accommodations. All operations related to this use, including but not limited to employee parking, patron transportation (busses or vans) and storage of rafts and equipment must be conducted entirely on-site on the lot or lots owned, leased or rented by the rafting operation.
- (18) Other uses, by conditional use permit.

(Ord. 8 §1, 2006; Ord. 3 §1, 2008; Ord. 1 §1, 2009; Ord. 2 §5, 2009)

Sec. 21-38. I-1, Industrial One District.

The following uses are permitted by right in the I-1 District:

- (1) Any use permitted in C-2 District.
- (2) Foundry, rock crusher, gravel pit, mine or mill, machine shop, sawmill or welding shop.
- (3) Warehouses.
- (4) Manufacturing, processing or fabrication of any commodity.
- (5) Automotive and other junk yards totally enclosed or screened from view.
- (6) Storage and sales of bulk gasoline or other petroleum products.

(7) Sexually oriented business – by conditional use permit.

(8) Other uses, by conditional use permit.
(Ord. 8 §1, 2006; Ord. 2 §6, 2009)

Sec. 21-39. PUD, Planned Unit Development.

See Article XI of this Chapter for requirements.
(Ord. 8 §1, 2006)

Sec. 21-40. P, Park and Recreation District.

The following uses are permitted by right in the P District:

(1) Public park and park facilities, greenbelt spaces and public and private golf courses.

(2) Public recreation building or facility and community center.
(Ord. 8 §1, 2006)

Sec. 21-41. CONS, Conservation District.

No structures or development of any type shall be permitted. All land in this area shall remain in its natural, undisturbed state.
(Ord. 8 §1, 2006)

Sec. 21-42. R-M, Rural Multiple-Family Residential District.

The following uses are permitted by right in the R-M District:

(1) Multiple-family dwelling.

(2) Public or private playground.

(3) Public or private golf course.

(4) Other uses, by conditional use permit.
(Ord. 8 §1, 2006)

Sec. 21-43. C-3, Commercial Interchange District.

The following uses are permitted by right in the C-3 District:

(1) Bowling alley, movie theatre.

(2) Campgrounds, overnight recreational vehicle park.

(3) Post office, firehouse and police station.

(4) Hospital, medical and dental office, clinic or laboratory.

(5) Library and museum.

(6) Public parking lot or parking garage.

(7) Professional office and office where goods, wares or merchandise are created, exchanged, stored or sold.

(8) Restaurant and drinking place with or without drive-in facilities.

(9) Conference center facility with attendant retail.

(10) Hotel, motel, bed and breakfast accommodations.

(11) Barbershop and beauty salon.

- (12) Retail store or shop (*e.g.*, camera, drugstore, jewelry, dry goods, floral, gift).
 - (13) Grocery store and shop selling grocery items.
 - (14) Automobile/truck center for retail sale of gasoline and diesel fuel, minor roadside vehicle repair, attendant retail.
 - (15) River rafting operation, headquarters and recreational use, including employee accommodations.
 - (16) Banking facility.
 - (17) Other use, by conditional use permit.
- (Ord. 8 §1, 2006)

Sec. 21-44. L-I, Light Industrial.

The following uses are permitted by right in the L-I District:

- (1) All uses permitted by right in the C-3 District.
 - (2) Electrical substation and transmission lines.
 - (3) Natural gas facility.
 - (4) Outdoor boat and RV storage; household and commercial storage.
 - (5) Communication tower.
 - (6) Regeneration facility.
 - (7) Warehousing.
 - (8) Other uses, by conditional use permit.
- (Ord. 8 §1, 2006)

Sec. 21-45. Home occupations.

(A) A home occupation shall be allowed as a permitted accessory use, provided that all of the following conditions are met:

- (1) Such use shall be conducted entirely within a dwelling and carried on by the inhabitants living there and no more than three (3) others.
- (2) Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character thereof.
- (3) The total area used for such purposes shall not exceed one-half (½) the first floor area of the user's dwelling unit.
- (4) There shall be no exterior advertising other than identification of the home occupation.
- (5) There shall be only incidental sale of stocks, supplies or products conducted on the premises.
- (6) There shall be no exterior storage on the premises of material or equipment used as a part of the home occupation.
- (7) There shall be no offensive vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
- (8) A home occupation shall provide additional off-street parking area adequate to accommodate all needs created by the home occupation, specifically including one (1) off-street parking space for each employee or other non-inhabitant of the premises who is involved with the home occupation.